

**BROKEN ARROW CITY COUNCIL
AGENDA
CITY HALL COUNCIL CHAMBERS
200 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
November 21, 2005**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of minutes of the regular meeting of November 7, 2005
 - B. Acceptance of resignation of Tim Edmondson from the Board of Adjustment, effective September 27, 2005
 - C. Approval of bids received and award of the most advantageous bid for one angle dozer
 - D. Approval of bids received and award of the most advantageous bid for one ambulance
 - E. Approval of bids received and award of the most advantageous bid for Survivair Panther CBRNE compliant SCBA and accessories
 - F. Approval of bids received and award of the most advantageous bid for construction of the Nienhuis Park Gymnasium, and authorization to execute the contract documents
 - G. Approval of and authorization to execute the Second Amendment to the City of Broken Arrow Flexible Benefit Plan and Resolution No. 420
 - H. Approval of and authorization to execute the Broken Arrow Visitors and Special Events Board and the City of Broken Arrow 2005 Funding Agreement for the Broken Arrow Girls Softball League
 - I. Approval of and authorization to execute Architect/Engineer Contract No. ST0609 with Tulsa Engineering & Planning Associates, Inc. for design of Kenosha Street Widening, Date Street to Main Street
 - J. Approval of and authorization to execute the Vision 2025 Community Center/Nienhuis Park Project Capital Improvements Agreement by and among the Tulsa County Industrial Authority, Board of County Commissioners of Tulsa County, and the City of Broken Arrow

- K. Approval of and authorization to execute the Vision 2025 Downtown/Neighborhood Fund Project Capital Improvements Agreement by and among the Tulsa County Industrial Authority, Board of County Commissioners of Tulsa County, and the City of Broken Arrow
- L. Approval of and authorization to create three new positions and eliminate two unfilled positions
- M. Approval of Conditional Final Plat (PT05-100, DN05-100), for Arrow Acres III, 0.567 acres, 1 lot, R-1 to O-3, located one-quarter mile south of Washington Street (91st Street), on the east side of Elm Place (161st Street)
- N. Approval of BAZ 1692, 25.0 acres, A-1 to O-2 and Specific Use Permit (SP 198), Family Church of the Nazarene, located on the east side of Aspen Avenue (145th Street), ¼ mile south of Florence Street (111th Street), and ¼ mile north of the Creek Turnpike
- O. Acceptance of a Temporary Construction Easement from Teri Ramos, Richard Slagle, and Genevieve Slagle (S10, T18N, R14E) (Project: Aspen Creek Floodplain Erosion)
- P. Acceptance of a Temporary Construction Easement from Billy W. Cassetty and Linda L. Cassetty (S4, T18N, R14E) (Project: Duck Lane Culvert Improvements)
- Q. Acceptance of a Temporary Drainage and Storm Sewer Easement With Termination Clause from Joan A. Dickerson and Monte L. Dunham (S17, T18N, R14 E) (Project: The Villages at Wood Creek II)
- R. Acceptance of a Sidewalk Easement from Evergreen Baptist Church, (S30, T18N, R14E) (Project: Evergreen Baptist Church Sidewalk)
- S. Acceptance of Deed of Dedication from Siegrfried Companies, Inc. (S21, T18N, R14E) (Project: Broken Arrow Assembly of God Church Offsite Sewerline)
- T. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

- A. Presentation: Metropolitan Tulsa Transit Authority report on the status of the Broken Arrow Bus Route and approval of Rate Structure effective January 1, 2006
- B. Appeal: Appeal of Planning Commission denial of BACP 60, a request to change the Comprehensive Plan Designation on property located between 4th and 5th Streets, north of Kenosha Street from Levels 1 and 3 to Level 6
- C. Appeal: Appeal for approval of a variance request for sign/flowerbed in right-of-way (2208 N. Yellowwood Ave)

8. Citizens' Opportunity to Address the Council (approximately 7:00 p.m.)

9. General Council Business

- A. Approval of Budget Calendar for Fiscal Year 2007
- B. Approval to proceed with condemnation of property located at Lot 1, Block 2, Parkview Addition (Project: Elm Place Widening from Kenosha to Houston)
- C. Approval to proceed with condemnation of property located at Lot 12, Block 4, West Park Addition (Project: Elm Place Widening from Kenosha to Houston)
- D. Approval of direction of publication and Legal Notice of Annexation the S/2 of the NW/4 of Section 9, Township 17 North, Range 14 East, Tulsa County, Oklahoma

10. City Manager's Report

- A. None

11. Preview Ordinances

- A. Approval of a preview ordinance amending the Broken Arrow Code, Chapter 23, Article 1 - General, Section 23-37, Use of Child Passenger Restraining System Required; Exceptions; Penalty, Repealing all ordinances to the contrary
- B. Approval of a preview ordinance closing a 22' utility easement located on Lots 1 and 2, Block 2, Dobbs Park, City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, and providing for reservation of rights within the closed easement
- C. Approval of a preview ordinance amending Chapter 5, Article 1 - Section 5-17 of the Broken Arrow Code pertaining to cruelty to animals; Repealing all ordinances to the contrary; and declaring an emergency
- D. Approval of a preview ordinance, to be codified, creating Article XVI, Section 2-230 and following by establishing the Broken Arrow Downtown Advisory Board, repealing all ordinances to the contrary; and declaring an emergency
- E. Approval of a preview ordinance amending the Broken Arrow Code by amending Section 7-301, 7-304 and 7-320, regulating the movement of oversized loads by motor vehicle over the public streets, amending the height restriction of building or structures that may be transported over the roadways, amending the permitting requirements, amending the fee schedule; and repealing all ordinances to the contrary; and declaring an emergency

12. Ordinances

- A. Adoption of Ordinance Number 2744 - An ordinance closing a 20' waterline easement, located on Lot 1, Block 1 Greenway Business Park II, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, and providing for reservation of rights within the closed easement, Greenway Business Park Vacation of Easement

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and its Attorney, concerning the benefits and legal ramifications in the possible creation of an economic development trust authority and on another matter pertaining to economic development, both of which include the possibility of property transfer, financing, and/or the creation of a proposal to entice businesses to locate within the City of Broken Arrow under Title 25 O.S. 2001 § 307C(10), and potential litigation concerning condemnation of right-of-way on the Elm Place Street Widening Project under Title 25 O.S. 2001 § 307B(3) and 307B(4). In the opinion of the City Attorney, the Council is advised that disclosure could interfere with the development of products or services and violate the confidentiality of the business and will seriously impair the ability of the public body to conduct litigation or proceeding in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 to make arrangements.

POSTED this ____ day of _____, 2005, at _____ a.m./p.m.

City Clerk

**BROKEN ARROW MUNICIPAL AUTHORITY
AGENDA
CITY HALL COUNCIL CHAMBERS
200 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012**

November 21, 2005

TIME: Immediately following the City Council Meeting, which begins at 6:30 p.m.

1. Call to Order

2. Roll Call

3. Consideration of Consent Agenda

- A. Approval of minutes of regular meeting of November 7, 2005
- B. Approval of and authorization to execute a Letter of Engagement between the Broken Arrow Municipal Authority and Cinnabar Service Company for land and right-of-way acquisition services for 12" Waterline Loops
- C. Approval of the Claims List

4. General Authority Business

- A. None

5. Executive Session for the purpose of confidential communications between the Broken Arrow Municipal Authority, the City Manager, the Assistant City Manager and its attorney to discuss the contract claim and possible litigation regarding Allied Waste Management (BFI) under Title 25 O.S. § 307(B)(4) In the opinion of the City Attorney, the Broken Arrow Municipal Authority is advised that disclosure will seriously impair the ability of the public body to proceed in the public interest. After the conclusion of the confidential portion of executive session, the Broken Arrow Municipal Authority will reconvene in open meeting, and the final decision, if any, will be put to a vote.

6. Adjournment

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